IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

HON'BLE Mr. JUSTICE R. SUBHASH REDDY

Writ Petition No.7531 of 2006

Dated: April 18, 2006

Between:

B. Sarmas Saheb,

S/o. B. Hussain Peera Saheb,

Aged about 43 years, Occ: Business,

R/o.6-1-899, First Street, Khairatabad,

Hyderabad.

… Petitioner

And

The Superintendent, Govt.

Maternity Hospital, Nayapul, Hyderabad.

… Respondent

Order:

The petitioner who was awarded the Contract of running Cycle Stand in the respondent premises during the year 2004-2005 filed this Writ Petition questioning the re-tender notification dated 16-03-2006 issued by the respondent herein.

2. The only ground on which the petitioner questions the impugned tender notice is that though the contract period is for a period of one year, he was allowed to run the cycle stand, only for a period of 11 months during the year 2004-2005; in that view of the matter, he is entitled to continue for the rest of the period and till then, the respondents cannot notify for award of contract, by inviting bids.

3. By office orders dated 29-04-2004, pursuant to the tender notification dated 03-04-2004, the bid of the petitioner, quoted at Rs.2,88,000/- was accepted and contract was awarded for the year 2004-2005, which, admittedly, commenced from 01-05-2004 and had to be ended on 31-03-2005. Nowhere in the order, awarding contract, it is indicated that the contract is for a period of 12 months, as contended by the petitioner. The date of expiry of contract as mentioned in the order dated 29-04-2004, is 31-03-2005.

4. As much as the contract period has already come to an end by 31-03-2005, petitioner cannot challenge the re-tender notification dated 16-03-2006, inviting fresh tenders, on the ground that the contract awarded to him is for a period of 12 months, more so, in the absence of the same being found in the order dated 29-04-2004, whereby the petitioner was awarded contract. The relief sought in the Writ Petition is wholly misconceived and is without any basis.

5. The Writ Petition is accordingly dismissed. No order as to costs.

_____

JUSTICE R. SUBHASH REDDY.

April 18, 2006

MRR